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DATE FILED: 1/6/11

VIA FACSIMILE

The Honorable Michael H. Dolinger
United States Magistrate Judge
United States District Court for the Southern District of New York
500 Pearl Street
New York, New York 10007

January 5, 2011

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Re: Oakley, et al. v. Verizon Communications, Inc., et al., 09-CV-9175 (CM) (MHD)

Dear Judge Dolinger:

Our firm represents Defendants in connection with the above-referenced case. As Your Honor is aware, the parties are scheduled to appear before the Court today at 2:00 p.m. to address a number of discovery disputes raised on behalf of Plaintiffs in the December 22, 2010 letter of Elaine Smith. On behalf of all parties, we write to advise the Court that the parties have now resolved the aforementioned discovery disputes. The parties have also reached agreement on a proposed schedule for the remainder of class-related discovery, as set forth below:

- Plaintiffs to provide Defendants with proposed HIPAA release language by today;
- Plaintiffs to execute Defendants' proposed Stipulation regarding Fed. R. Civ. P. 30(b)(6) depositions by 1/7/11;
- Plaintiffs to identify to Defendants the Bates ranges of documents produced on behalf of the Communications Workers of America by 1/7/11;
- Defendants to produce supplemental statistical data in the form of the "FMLA Total Cases Report" by 1/14/11;
- Defendants to begin production of relevant, non-privileged e-mails selected pursuant to the search terms to which the parties have agreed by 1/14/11;
- Defendants to produce statistical information about FMLA-related complaints made to the U.S. Department of Labor by 1/18/11;

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IN DOCKETED
ORDER

The proposed revised schedule
specified in this letter is
adopted. The caption schedule
today is cancelled.

[Signature]
1/5/11



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- Defendants to respond to Plaintiffs' Second Set of Interrogatories by 1/28/11;
- Plaintiffs to provide Defendants with executed HIPAA releases for the named plaintiffs within 30 days after agreement on form;
- Rule 30(b)(6) depositions (party and non-party) to be completed by 3/17/11; and
- Class-related discovery to close on 3/31/11.

The parties respectfully request that Your Honor consider and endorse this discovery schedule. In addition, the parties respectfully request that Your Honor endorse the following briefing schedule for Plaintiffs' anticipated motion for class certification:

- Plaintiffs to serve and file class certification motion by 5/13/11;
- Defendants to serve and file opposition papers by 6/30/11;
- Plaintiffs to serve and file reply papers by 7/20/11.

Finally, in view of the parties' agreement on a proposed discovery schedule and a proposed class certification briefing schedule, and in view of the fact that the parties have resolved the discovery disputes earlier presented to the Court, we respectfully request that today's conference before Your Honor be cancelled.

Thank you for your consideration of these requests.

Respectfully submitted,

SEYFARTH SHAW LLP

A handwritten signature in black ink, appearing to read "Lorie E. Almon", written over the printed name.

Lorie E. Almon

cc: Daniel Clifton (by email)
Louie Nikolaidis (by email)
Elaine Smith (by email)
Mary K. O'Melveny (by email)
Gabrielle Semel (by email)
Christie Del Rey-Cone
Krista Pratt